

United States District Court
Northern District of California

UNITED STATES OF AMERICA,

Plaintiff,

v.

AHUIZOTL MENDOZA-BAHENA,

Defendant.

Case No.: CR 13-mj-70494 MAG-1

DETENTION ORDER

I. DETENTION ORDER

Defendant Ahuizotl Mendoza-Bahena is charged in a complaint with a violation of 18 U.S.C. § 841(a)(1)(possession with intent to distribute methamphetamine). At the May 10, 2013 hearing before this

Court, Defendant was in custody and represented by Federal Public Defender Joyce Leavitt. Assistant United States Attorney Aaron Wegner appeared on behalf of the United States.

Defendant waived the timing of his right to proffer information at a detention hearing, *see* 18 U.S.C. § 3142(f), and also waived findings, while retaining his right to seek release at a later hearing should his circumstances change. The Court notes that Defendant is subject to an immigration detainer issued by U.S. Immigration and Customs Enforcement.

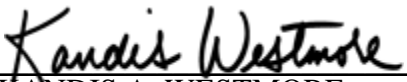
II. CONCLUSION

The Court hereby detains Defendant, but because he has waived his right to present information under 18 U.S.C. § 3142(f) without prejudice to raising relevant information at a later hearing, the Court orders that the hearing may be reopened at Defendant's request at any future time.

1 Defendant shall remain committed to the custody of the Attorney General for confinement
2 in a corrections facility separate, to the extent practicable, from persons awaiting or serving
3 sentences or being held in custody pending appeal. Defendant shall be afforded reasonable
4 opportunity for private consultation with counsel. On order of a court of the United States or on
5 request of an attorney for the Government, the person in charge of the corrections facility in
6 which Defendant is confined shall deliver Defendant to a United States marshal for the purpose of
7 an appearance in connection with a court proceeding.

8 IT IS SO ORDERED.

9 Dated: May 10, 2013

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11 KANDIS A. WESTMORE
12 United States Magistrate Judge
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